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\*ADMITTED IN NY & NJ

October 2, 2019

BY ECF

Honorable Kiyo A. Matsumoto  
United States District Judge  
225 Cadman Plaza East, Chambers Room 905 South  
Brooklyn, NY 11201

***Re: SEC v. Michael Black and Garrett O'Rourke,  
19-CV-4137- KAM-PK***

Dear Judge Matsumoto:

I am counsel to the Defendant, Garrett O'Rourke, in the above-referenced matter, and I write to request that the Court sign a modified Preliminary Injunction Order to which all parties have consented. I enclose as Exhibit A the proposed modified preliminary injunction.

The only modification to this injunction is to paragraph I(D)(5), to permit Mr. O'Rourke to continue trading funds in the TD Ameritrade Account ending in 6295 until October 18, 2019. The original Preliminary Injunction ended Mr. O'Rourke's authority to trade options in order to liquidate the positions in the TD Ameritrade Account until September 30, 2019. The standard options expiration date for the options Mr. O'Rourke holds in his TD Ameritrade Account is October 18, 2019, and if Mr. O'Rourke is permitted to close out his positions at that time, all parties believe he will receive more funds in connection with his TD Ameritrade Account than he would otherwise receive. Since the point of allowing Mr. O'Rourke to liquidate these positions is to garner the maximum amount of proceeds for the payment of disgorgement and penalties, all parties agree that it is best if Mr. O'Rourke's time to liquidate the options and other positions in his account is extended to October 18, 2019.

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As noted above, the SEC consents to this modification, and that consent is indicated by the SEC's signature on the proposed modified Preliminary Injunction attached as Exhibit A. Mr. Garrett and I have also signed Exhibit A.

Respectfully submitted,

  
Roland G. Riopelle

Cc: Katherine Shields, Esq. and Eric Forni, Esq. (By ECF and Email)